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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/561,167

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Guntram Scheible

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VENABLE LLP

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WASHINGTON, DC 20043-9998

EXAMINER

ZHANG, JUE

ART UNIT

PAPER NUMBER

2838

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/561,167	<b>Applicant(s)</b> SCHEIBLE ET AL.	
	<b>Examiner</b> JUE ZHANG	<b>Art Unit</b> 2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/16/2005</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 12, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 6, 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Chabrol (US Patent No. 4223313, hereinafter '313).

For claim 1, '313 teaches a power supply system for an industrial robot (Abstract; Fig. 1-2), comprising:

a transmitting part including a first coil (33) and a first converter (12) for producing an alternating magnetic field from the first coil (Fig. 1-2), and

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a receiving part comprising a second coil (34) for providing an alternating current by induction from the alternating magnetic field and a second converter (e.g., 21, 35, 36, 37) for producing from the alternating current a direct current for providing power to a tool carried by the robot (col. 1, lines 1-48),

wherein the transmission part is attached to the industrial robot, wherein the receiving part is attached to the tool, wherein the transmitting part comprises a tunable resonance electric (e.g., the resonance frequency can be tuned by changing the value of the capacitance of the capacitor of 16)(Fig. 1-2) circuit and wherein the second coil is detachable from the first coil (Fig. 1-2)(col. 1, lines 1-48).

Claim 2. '313 teaches the limitations of claim 1 as discussed above. It further teaches that wherein the first coil and the second coil are arranged coaxially (Fig. 2).

Claim 3, '313 teaches the limitations of claim 1 as discussed above. It further teaches that wherein the first coil and the second coil are arranged in parallel planes (fig. 2).

Claim 4, '313 teaches the limitations of claim 1 as discussed above. It further teaches that wherein the first coil and the second coil comprises a ring-shaped form (Fig. 2).

Claim 6, '313 teaches the limitations of claim 1 as discussed above. It further teaches that wherein the second coil comprises a core of magnetizable material (Fig. 2).

For method claims 8-9, note that under MPEP 2112.02, the principles of inherency, if a prior art device, in its normal and usual operation, would necessarily

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perform the method claimed, then the method claimed will be considered to be anticipated by the prior art device. When the prior art device is the same as a device described in the specification for carrying out the claimed method, it can be assumed the device will inherently perform the claimed process. In re King, 801 F.2d 1324, 231 USPQ 136 (Fed. Cir. 1986). Therefore the previous rejections based on the apparatus will not be repeated.

Claim 10 '313 teaches the limitations of claim 1 as discussed above. It further teaches an industrial robot, comprising a power supply system according to claim 1 (Fig. 1).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chabrol (US Patent No. 4223313, hereinafter '313), in view of Park et al. (US PG Pub No. 20020110013, hereinafter '013)

Claim 5, '313 discloses the invention except for the first coil and the second coil comprising a printed circuit board. '013 discloses a power transformer comprising PCB in the primary and secondary winding/coil for in order to transfer power contactlessly (Abstract; Fig. 1-5). Therefore, .

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Therefore, the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the transformer with the coil comprising PCB of '013 in the power transferring and receiving parts of '313, as taught by '013, in order to have transferred power contactlessly, because '013 has demonstrated that it is a suitable method in order to have transferred power contactlessly.

6. Claims 7, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chabrol (US Patent No. 4223313, hereinafter '313), in view of Boys et al. (US Patent No. 5821638, hereinafter '638)

For claim 7, '313 teach the limitations of claim 1 as discussed above. '313 does not explicitly teach that any of the first converter and the second converter comprises a control unit containing a microprocessor and memory means. '638 discloses an inductive power transfer system with an controller comprising microprocessor and memory means for controlling the power transfer of the system inductively (Abstract; Fig. 6 and corresponding text). Therefore, the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made to have used an controller comprising microprocessor and memory means for controlling the power transfer of the system of '313, as taught by '638, in order to have controlled the power transfer of the system inductively, because '638 has demonstrated that it is a suitable method in order to have controlled the power transfer of the system inductively.

Claim 11, '313 teach the limitations of claim 8 as discussed above except for a computer program product comprising-instructions for affect a processor to perform the

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method according to claim 8. '638 reads on the same obviousness as disclosed in claim 7 (Fig. 6).

Claim 12, '313 and '638 disclose the invention discussed above except for the computer program product provided at least in part over a network. However, it is well-known to one in art at the time of invention a computer program can be transferred or downloaded through a network including internet. Therefore, the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the computer program through network, as because it is known to one in art that a computer program can be transferred or downloaded through a network including internet.

Claim 13, '313 and '638 disclose the invention discussed above. '638 further discloses a computer readable medium containing a computer program product according to claim 11 (i.e., the memory means of 601).

**Examiner's Note:**

7. Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as

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well as the context of the passage as taught by the prior art or disclosed by the Examiner.

8. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jue Zhang whose telephone number is (571) 270-1263. The examiner can normally be reached on M-TH 8:00-5:00PM EST, Other F 8:00AM-4:00PM EST

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Akm Ullah can be reached on 571-272-2361. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a



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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Akm Enayet Ullah/  
Supervisory Patent Examiner, Art  
Unit 2838

JZ